

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

* *

KEVIN ROCHEVILLE *

v. *

THOMAS GOULDEN, MATTHEW KEENLISIDE, BRIAN *
MCCARTHY, JOSEPH O'ROARK, MICHAEL MCCALL, *
ALLISON CAPRIGNO, JODY HARRIS-STERN, JOHN DOES, *
JANE DOES, AND TOWN OF PELHAM, NH *

* *

Docket No. 19-CV-00169-AJ

DEPOSITION OF KEVIN ROCHEVILLE

Deposition taken at the LAW OFFICES OF
CULLEN COLLIMORE, P.L.L.C., 10 E. Pearl Street,
Nashua, New Hampshire, on Thursday, June 17, 2021,
commencing at 9:23 p.m.

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1 having you state your name and your address. 2 A. Kevin R. Rocheville. 31 Jonathan Road, 3 Pelham, New Hampshire. 4 Q. Okay. And I know your attorney has 5 probably gone through some of the basic ground rules 6 for the deposition. And I know you have had a 7 deposition before, but just mostly for the 8 stenographer's sake there are a couple of really 9 important ones. One, is just make sure your answers 10 stay -- keep your voice up. And if you can answer 11 out loud. If you shake or nod, either your lawyer 12 or I will just prompt you to give us an oral 13 response. Okay. 14 A. Yes, Sir. 15 Q. And if you don't understand a question that 16 I ask you, just let me know. And I will rephrase it 17 as best I can, okay. 18 A. Yes, Sir. 19 Q. Okay. And as you're already doing if you 20 can just let me finish my question before you 21 answer, that's great. And if you -- and I'll try to 22 do you the same courtesy. There are going to be 23 times when you know in advance what I'm going to ask	1 you, and the inclination is to sort of jump in and 2 answer, but it's hard for Kim to type down both of 3 us at the same time, okay. 4 A. Yes, Sir. 5 Q. Okay. If you need to take breaks at any 6 time you don't have to tell me why. Just say you 7 want to take a break. And we'll take one, okay. 8 A. Yes, Sir. 9 Q. How are you feeling today? 10 A. Good, Sir. 11 Q. Are you on any medications or anything? 12 A. No, Sir. 13 Q. Tell me a little bit about yourself, 14 Mr. Rocheville. How old are you today? 15 A. 55 years old. 16 Q. And where did you grow up? 17 A. Tyngsborough, Mass. 18 Q. How long have you been at 31 Jonathan Road? 19 A. Since 220. 20 Q. When you say, "220," 2020? 21 A. Yes, Sir. 22 Q. So just a year ago? 23 A. No. The house was built in the year -- the
Page 7	Page 8
1 house is 20 years old. 2 Q. Okay. Do you mean, maybe, 2001, then? 3 A. Yeah. The year 2000 the house was built. 4 Q. Okay. And you moved into it in 2001? 5 A. Yes, Sir. 6 Q. Okay. I thought I heard you say, "220." 7 And I wasn't sure if you meant last year, 2020. Are 8 you presently married? 9 A. No. 10 Q. Did you go to high school down in 11 Tyngsborough, in that area? 12 A. Yes. 13 Q. Okay. And did you graduate high school? 14 A. Yes. 15 Q. And what did you -- what year was that? 16 A. 1983. 17 Q. After high school did you go onto any other 18 education or certifications? 19 A. I did some college at University of Lowell. 20 Q. Okay. Did you complete a course there or a 21 degree? 22 A. I did not. 23 Q. Okay. What's your current occupation?	1 A. Heavy equipment mechanic. 2 Q. Okay. And did you receive some sort of 3 training or certificate to do that? 4 A. Yes. 5 Q. And where did you perform that? 6 A. I worked for different dealerships; 7 Manchester Mack. I worked for Paul Products in 8 Wakefield, Mass. Cummins Northeast. Various 9 dealerships. 10 Q. Okay. And that's where you got your 11 experience in working for -- on heavy equipment? 12 A. Yes. 13 Q. Okay. And I apologize. Where are you 14 currently employed? 15 A. I'm self-employed. 16 Q. And what is it that you do? 17 A. Repair equipment on-site. 18 Q. How long have you been doing that 19 self-employed? 20 A. Last five years. 21 Q. At the time in October of 2016 when the 22 search warrant was executed at your house at 31 23 Jonathan Road where were you working then?

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1 A. It's been a couple of years. 2 Q. And how long -- did you ever live with Ms. 3 Bordeleau? 4 A. Yes. 5 Q. When was that? 6 A. 17 years total time. 7 Q. And what was the end of that? What date 8 did that end? 9 A. I don't remember the approximate dates. 10 Q. Okay. Relative to 2016 -- well, let me, 11 actually, say this differently. You said your 12 younger son's name is Grayson? 13 A. Yes, Sir. 14 Q. And he's approximately 12? 15 A. Yes, Sir. 16 Q. About how old was he when you and Ms. 17 Bordeleau split up? 18 A. About a year old. 19 Q. So safe to say, it was about 11 years or so 20 ago that you and Ms. Bordeleau broke up? 21 A. I don't remember the exact dates. 22 Q. Okay. But around the time Grayson was one? 23 A. Yes, Sir.	1 Q. Prior to you and Ms. Bordeleau separating 2 did she live with you at Jonathan Street? 3 A. 31 Jonathan Road. 4 Q. Did she live with you at 31 Jonathan Road? 5 A. Yes, Sir. 6 Q. And was that true since the house was 7 built? 8 A. Yes, Sir. 9 Q. How did you first meet Ms. Bordeleau? 10 A. She was a hairdresser in Pelham at Sassy 11 Samples. She cut my hair. I asked her out on a 12 date. And we got together at that point. 13 MR. CULLEN: I'm going to just show you a 14 copy of your complaint. And I'll just ask that we 15 mark this as Exhibit 1. And ask you a few questions 16 from that. 17 (Rocheville Exhibit 1 was 18 marked for identification.) 19 (Document handed to witness.) 20 Q. BY MR. CULLEN: Sir, turn to page two, 21 Paragraph 14, at the very bottom. You reference 22 that Goulden was fired. Lieutenant Goulden was 23 fired by the Town of Brookline, New Hampshire. That
Page 15	Page 16
1 he had been the Chief and then was fired. Is that 2 something you know for a fact? 3 A. I was told that by Cheryl Bordeleau and 4 Tracy Goulden. 5 Q. And is Tracy Goulden Thomas Goulden's wife? 6 A. Yes, Sir. 7 Q. Do you know if they are still married? 8 A. I do not. 9 Q. When did Tracy -- when did Ms. Goulden tell 10 you that her husband had been fired? 11 A. I don't remember the specific dates. 12 Q. Okay. How about this. How -- how -- when 13 was the last time you spoke with Ms. Goulden? 14 A. I don't remember the exact dates, Sir. 15 Q. Okay. Was it prior to your arrest in 2016? 16 A. Yes, Sir. 17 Q. Do you recall how much prior? 18 A. I do not. 19 Q. Do you know if it was more than a year 20 before your arrest? 21 A. I don't recall, Sir. 22 Q. And I think you told me that you heard that 23 from both Ms. Goulden and Ms. Bordeleau?	1 A. Yes, Sir. 2 Q. Do you recall when Miss Bordeleau told you 3 that? 4 A. I don't remember the exact dates. 5 Q. Did either Miss Goulden or Miss Bordeleau 6 tell you why then Chief Goulden was fired from 7 Brookline? 8 A. No, Sir. 9 Q. Do you have any other independent knowledge 10 of why he was fired, if he was fired? 11 A. I do not. 12 Q. Okay. On page three, Paragraph 15, you 13 state that on or before May 20th, 2014 Goulden began 14 to have a sexual affair with your girlfriend, Cheryl 15 Bordeleau. How much -- well, first of all, how do 16 you know that to be true, if it's true? 17 A. My son, Aiden Rocheville. Mr. Goulden, 18 Thomas Goulden, bought him baseball equipment. And 19 he overheard his mother talking. 20 Q. And what did he overhear his mother say, or 21 what did he report to you? 22 A. He basically told me his mother was dating 23 Thomas Goulden. And that he had been to his ball

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1 games.	1 A. A good friend of mine, Buddy Wilkins, who
2 Q. Were you still together with Ms. Bordeleau	2 lives in town, 19 Webster Avenue, witnessed Cheryl
3 at that time?	3 Bordeleau and Officer Tom Goulden multiple times,
4 A. Yes.	4 multiple locations in town while Officer Goulden was
5 Q. Was she still living with you at that time?	5 on duty in a Pelham Police Cruiser. They were
6 A. Yes.	6 parked side-by-side on Bridge Street and chatted for
7 Q. Did you confront Miss Bordeleau about that?	7 hours.
8 A. Yes.	8 Q. You attached to the interrogatories a
9 Q. And what did she say?	9 couple of photographs of a police car next to a --
10 A. That her private affairs were none of my	10 what appears to be a white SUV.
11 business.	11 (Document handed to witness.)
12 Q. Can I assume you disagreed with that?	12 Q. And I'm showing you one of those that bears
13 A. I did disagree, yes.	13 the caption below that says, This went on and on for
14 Q. Is that what caused you and Miss Bordeleau	14 months. Do you know who took that picture?
15 to split up?	15 A. I did.
16 A. I believe it had a large impact on our	16 Q. And who is in the police car, if you know?
17 relationship.	17 A. Officer Thomas Goulden.
18 Q. Other than the comment made by your son,	18 Q. And whose white SUV is that in the
19 Aiden, did you have any other evidence that Ms.	19 background?
20 Bordeleau was having some sort of an affair or	20 A. That's Cheryl Bordeleau's. It's a Toyota
21 relationship with Mr. Goulden?	21 Sequoia.
22 A. Yes, I did.	22 Q. And when was this picture taken?
23 Q. And what was that?	23 A. I don't know the exact date.
Page 19	Page 20
1 Q. Relative to the date that's referenced in	1 Q. Was Cheryl still living with you at that
2 Paragraph 15 of the complaint, May 20th of 2014, was	2 time?
3 this picture taken before or after that?	3 A. Yes.
4 A. Approximately the same time.	4 Q. In the -- any other conversations that you
5 Q. Did you ever speak to Thomas Goulden about	5 had from -- sorry about that. Any other
6 your belief that he was having an affair with Ms.	6 conversations you had with Mr. Goulden regarding Ms.
7 Bordeleau?	7 Bordeleau? Do you remember him saying anything else
8 A. Yes.	8 to you?
9 Q. And when was that?	9 A. He basically told me he would take my life
10 A. At different times.	10 and turn it inside out and there wouldn't be nothing
11 Q. How many times?	11 I could do about it.
12 A. Three or four times.	12 Q. And when you say he basically told you
13 Q. And was it around the same time as this	13 that, is that as close to a quote as you can get?
14 picture was taken?	14 A. He said he got rid of her boyfriend in the
15 A. Yes.	15 past.
16 Q. What did you say to him?	16 Q. Anything else you remember Mr. Goulden
17 A. That I wanted to make my relationship with	17 telling you with respect to his relationship with
18 Cheryl work for the sake of the boys. He didn't	18 Ms. Bordeleau or with respect to you?
19 seem to care, one way or the other.	19 A. Told me to watch my back.
20 Q. What did he say specifically?	20 Q. And this is all around the time that this
21 A. He basically told me to get away from him,	21 photo was taken, which was around --
22 not to have any contact with Cheryl. And it was in	22 A. It went on for months.
23 my best interest to stay away from Cheryl.	23 Q. Do you know where you get the date, May

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<p>1 Cheryl Bordeleau very well.</p> <p>2 Q. Where did this conversation take place?</p> <p>3 A. Police station.</p> <p>4 Q. One time or more than once?</p> <p>5 A. More than once.</p> <p>6 Q. Anything else that Mr. McCarthy said to you</p> <p>7 that made you believe that there was a conspiracy by</p> <p>8 Thomas Goulden to have you arrested?</p> <p>9 A. I asked Mr. McCarthy why I was followed in</p> <p>10 and out -- in or out of town. Why I was escorted in</p> <p>11 or out of town. And he described it was the hour of</p> <p>12 the night. And then he smiled. And he said, You</p> <p>13 know why you're being escorted.</p> <p>14 Q. And what did you take that to mean?</p> <p>15 A. I was being harassed by the Pelham Police</p> <p>16 Department and it was going to continue.</p> <p>17 Q. Did you have any other conversations that</p> <p>18 you recall with Mr. McCarthy regarding Thomas</p> <p>19 Goulden?</p> <p>20 A. Not at this time.</p> <p>21 Q. You mean not at the time?</p> <p>22 A. Not that I can recall at this moment.</p> <p>23 Q. Okay. Anyone else that you spoke with that</p>	<p>1 gave you information that led you to believe that</p> <p>2 there was a conspiracy --</p> <p>3 A. Chief Joseph O'Roark.</p> <p>4 Q. You just -- I know you know how I'm going</p> <p>5 to ask my question, but just let me get the whole</p> <p>6 thing out. Okay. Is there anyone else, besides Ms.</p> <p>7 Bordeleau, Ms. Goulden and Chief McCarthy that gave</p> <p>8 you information that led you to believe that Thomas</p> <p>9 Goulden was conspiring to have you arrested? And</p> <p>10 you answered Chief O'Roark. What did Chief O'Roark</p> <p>11 tell you.</p> <p>12 A. I called Chief O'Roark. I had a meeting</p> <p>13 with him. I actually gave him copies of these</p> <p>14 photographs. And he explained that I pissed off the</p> <p>15 wrong people.</p> <p>16 Q. And by the photographs you're indicating</p> <p>17 the ones that are attached to your Answers to</p> <p>18 Interrogatories?</p> <p>19 A. Correct.</p> <p>20 Q. Is that all he told you, that you pissed</p> <p>21 off the wrong people?</p> <p>22 A. I wrote him a letter and the selectmen in</p> <p>23 regards to I was being harassed. And I was</p>
<p style="text-align: center;">Page 27</p> <p>1 concerned that I would be charged with something</p> <p>2 that I didn't deserve. And that there was an</p> <p>3 officer involved that was dating the mother of my</p> <p>4 children. And it was to the Board of Selectmen.</p> <p>5 And I gave it to Chief O'Roark.</p> <p>6 Q. Is that when he said that you pissed off</p> <p>7 the wrong person?</p> <p>8 A. Yes, Sir.</p> <p>9 Q. And did he tell you anything else?</p> <p>10 A. He said it would be in my best interest to</p> <p>11 move out of town.</p> <p>12 Q. And you indicated that you showed him the</p> <p>13 pictures that are attached to the interrogatories,</p> <p>14 which I understand to take place right around the</p> <p>15 time of May 2014 that's referenced in the complaint.</p> <p>16 Is that around the time that you went to see Chief</p> <p>17 O'Roark?</p> <p>18 A. I don't remember the exact dates.</p> <p>19 Q. Okay. Is it around the time that the</p> <p>20 letter that you said you wrote to the Board of</p> <p>21 Selectmen was written?</p> <p>22 A. Approximately.</p> <p>23 Q. Approximately within a month?</p>	<p style="text-align: center;">Page 28</p> <p>1 A. Within a year.</p> <p>2 Q. Would you have waited a whole year after</p> <p>3 the board's letter to go see the chief?</p> <p>4 A. No.</p> <p>5 Q. Did you ever get any response from the</p> <p>6 board?</p> <p>7 A. No.</p> <p>8 Q. Okay. Other than the people you've</p> <p>9 mentioned so far is there anyone else who has</p> <p>10 provided you information that leads you to believe</p> <p>11 that Mr. Goulden was conspiring to have you</p> <p>12 arrested?</p> <p>13 A. I don't recall at this time.</p> <p>14 Q. On Paragraph 19 you reference a lieutenant</p> <p>15 that you refer to as John Doe, who advised you that</p> <p>16 you should have kept your mouth shut while he was</p> <p>17 doing his civil standby at your house. Do you know</p> <p>18 today who that person is?</p> <p>19 A. I do not. He pulled up in an unmarked</p> <p>20 cruiser.</p> <p>21 Q. Was this during the search warrant?</p> <p>22 A. No. This was prior to it.</p> <p>23 Q. What was the civil standby for?</p>

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1 A. I had a problem with Michelle Stone. And I 2 needed her to vacate my house. 3 Q. How had you met Miss Stone? 4 A. On Match. 5 Q. And in September and October of 2016 had 6 she been living with you at 31 Jonathan Road? 7 A. Yes. 8 Q. Just you or anyone else? 9 A. She had a son with her. 10 Q. And approximately how long did Miss Stone 11 live with you at 31 Jonathan Road? 12 A. Couple of years, approximately. 13 Q. And when you asked her to leave is that in 14 October of 2016 when this civil standby took place? 15 A. Prior. 16 Q. Do you know how much prior? 17 A. I do not recall the dates. 18 Q. Okay. Within a week of the civil standby? 19 A. It was more like two or three weeks. 20 Q. Okay. How did you get into sort of the dog 21 rescue business? 22 A. Through ARNE, which is Animal Network of 23 New England, Donna Clark.	1 Q. And who's Donna Clark? 2 A. I believe she's a Director of ARNE. 3 Q. And approximately when was it that you 4 first got involved with ARNE? 5 A. Soon after I moved into my home. 6 Q. So around 2001? 7 A. Thereabouts. I don't recall the exact 8 dates. 9 Q. Prior to getting involved in ARNE had you 10 had any involvement with any sort of dog rescue or 11 dog fostering? 12 A. Off and on over the years I fostered 13 animals. Did what I could to help them get homes. 14 Q. I'm going to ask you some questions that I 15 think the easiest way to do this would be to show 16 you the search warrant affidavit. And use that to 17 help you with your memory. 18 MR. CULLEN: Perhaps, could you mark this, 19 please, as Exhibit 2. 20 (Rocheville Exhibit 2 was 21 marked for identification.) 22 (Document handed to witness.) 23 Q. BY MR. CULLEN: What I've shown you and
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1 marked as Exhibit 2 is a search warrant affidavit 2 completed by Allison Caprigno and ultimately 3 offered -- issued by Judge Stephen. I want to go 4 through a few different statements that are in here 5 starting, really, at Paragraph Six. Paragraph Six 6 starts with, On September 30th, 2016 I spoke with 7 Kevin Rocheville about a dog at large complaint, and 8 I'm paraphrasing here. Do you remember that 9 incident? 10 A. Yes. 11 Q. Okay. A neighbor of yours, Kelly Salois, 12 complained about a dog; is that right? 13 A. I don't know a Kelly. And I don't believe 14 she lives anywhere near my home. 15 Q. Okay. When did it -- what happened when -- 16 okay. Let me strike that. On September 30th, 2016 17 do you remember Miss Caprigno or Officer Caprigno 18 coming to your house? 19 A. Yes. 20 Q. And what did she say to you when she 21 arrived? 22 A. That was that there was a dog reported 23 loose.	1 Q. Okay. Did you have any loose dogs at that time? 2 A. No. 3 Q. As of that time how many dogs were at your house? 4 A. I don't recall. 5 Q. More than five? 6 A. Yes. 7 Q. More than ten? 8 A. I don't recall. 9 Q. What was the most number of dogs you recall having at your house at one time? 10 A. A dozen anyway. 11 Q. If -- if Ms. Stone reported that you had more than 30 at once would that be accurate? 12 A. No. 13 Q. Further down in this paragraph there's a reference to a dog named, Ally, who I believe you represented was a foster dog from the Whispers of the Forgotten in New York? 14 A. Yes. 15 Q. And is that, in fact, where Ally was from? 16 A. She came from North Carolina, I believe.

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<p>1 Q. How did Ally come into your possession?</p> <p>2 A. A transport, I believe, brought her up.</p> <p>3 Q. How was it that you had even heard about</p> <p>4 Ally?</p> <p>5 A. Through -- I believe it was through the</p> <p>6 Internet, something Michelle found.</p> <p>7 Q. Who arranged for Ally to be transported to</p> <p>8 your house?</p> <p>9 A. I believe it was Michelle.</p> <p>10 Q. As of September 30th, 2016 Michelle had</p> <p>11 been living with you for approximately two years?</p> <p>12 A. Approximately.</p> <p>13 Q. During that time how many dogs did Michelle</p> <p>14 have transported to your house?</p> <p>15 A. I don't recall the exact number.</p> <p>16 Q. Was it dozens?</p> <p>17 A. Maybe ten.</p> <p>18 Q. Did Michelle keep these dogs, or did she</p> <p>19 foster them to place them?</p> <p>20 A. There was a few that she tried to adopt for</p> <p>21 herself.</p> <p>22 Q. And when you say, "Tried," did she succeed?</p> <p>23 A. No.</p>	<p>1 Q. Why was that?</p> <p>2 A. I don't believe that they -- I don't know</p> <p>3 exactly. I really don't.</p> <p>4 Q. But you think it might have something to do</p> <p>5 with paperwork?</p> <p>6 A. I have no idea exactly what happened on</p> <p>7 that circumstance.</p> <p>8 Q. So she tried to adopt some. Forgive me.</p> <p>9 Did she successfully adopt any?</p> <p>10 A. No.</p> <p>11 Q. And when she would try to adopt a dog, and</p> <p>12 then not be able to, what happened to that dog?</p> <p>13 A. I believe the dog would go out and be</p> <p>14 adopted by another party.</p> <p>15 Q. And who had arranged that?</p> <p>16 A. One of the rescues.</p> <p>17 Q. Did you also arrange to have dogs</p> <p>18 transported to your house at various times?</p> <p>19 A. I worked with a transport a few times.</p> <p>20 Q. Who was that?</p> <p>21 A. Well, we would all take an hour. And we'd</p> <p>22 bring a dog. If a dog was coming from Florida</p> <p>23 different people would take a length of the trip.</p>
<p style="text-align: center;">Page 35</p> <p>1 And they would be bring it to another person. And</p> <p>2 that person would bring it to another person. And</p> <p>3 basically it would be part of a transport. That's</p> <p>4 how they would do it. People would volunteer their</p> <p>5 time to transport the animals.</p> <p>6 Q. And you worked in that capacity sometimes?</p> <p>7 A. A few times, I have.</p> <p>8 Q. As a volunteer did you -- in any of those</p> <p>9 times did you have dogs transported to your house?</p> <p>10 A. The transports came to my house a couple of</p> <p>11 times, different dogs.</p> <p>12 Q. And then would some other volunteer pick</p> <p>13 them up and take them to the next step?</p> <p>14 A. Depending on the circumstances, yes.</p> <p>15 Q. And how long would the dogs be housed in</p> <p>16 your house between transports?</p> <p>17 A. Sometimes a day. Sometimes a week.</p> <p>18 Q. Were you working full-time back in</p> <p>19 September of 2016?</p> <p>20 A. In -- I don't recall, but I do know that I</p> <p>21 tried to work as much as possible. If I had a union</p> <p>22 job, and I had a day off I would go and repair a</p> <p>23 piece of equipment. I was constantly trying to make</p>	<p style="text-align: center;">Page 36</p> <p>1 a living.</p> <p>2 Q. Six days a week most weeks?</p> <p>3 A. Seven days a week.</p> <p>4 Q. Most weeks?</p> <p>5 A. Not all the time.</p> <p>6 Q. As much as you could, though?</p> <p>7 A. Yes. I was trying to pay my bills.</p> <p>8 Q. The Massachusetts union jobs. Obviously, I</p> <p>9 assume, they were in Massachusetts?</p> <p>10 A. Yes, Sir.</p> <p>11 Q. Boston or where?</p> <p>12 A. All over the place. The union is based out</p> <p>13 of Boston, but they could send me anywhere.</p> <p>14 Q. Were those typically one-day jobs or</p> <p>15 multi-day jobs from the union?</p> <p>16 A. It depended. It was all over the place.</p> <p>17 Q. The report that I was looking at, Paragraph</p> <p>18 Six, indicates that Ally had just had seven puppies</p> <p>19 within the last 24 hours. Is that something that</p> <p>20 either you or Michelle told Officer Caprigno?</p> <p>21 A. I believe that would be Michelle.</p> <p>22 Q. And had the dog just had puppies?</p> <p>23 A. Yes.</p>

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<p>1 whatever. And the ultimate understanding that I 2 have out of this whole incident was that the doctor, 3 when they put the stitch when -- I guess there's an 4 artery in there when they castrate a dog, that 5 stitch let go. And it caused Gotti to bleed out 6 inside. And as far as I'm concerned I had nothing 7 to do with it. I did everything correctly. And 8 then Jody Harris explained to me in detail that the 9 insurance company from the veterinarian was going to 10 pay all the vet bills.</p> <p>11 Q. Okay.</p> <p>12 A. That it was a mistake by Windham Animal 13 Hospital.</p> <p>14 Q. Did that insurance company end up paying 15 those bills?</p> <p>16 A. I do not know. Jody Harris and I did not 17 speak about it afterwards. She wouldn't let me have 18 anything to do with the dog. She said that, you 19 know, basically, the acting out by Michelle was 20 unprofessional.</p> <p>21 Q. After that incident with Gotti and your 22 conversation with Harris did that change your 23 relationship with Jody Harris?</p>	<p>1 A. Absolutely. 2 Q. In what way? 3 A. I explained to her that I didn't want to 4 foster any more of her animals. And that, you know, 5 I'm done. I didn't want to do any more. 6 Q. How did she take that news? 7 A. She was -- she was so upset. She was 8 screaming at me. She'd hang up, call back. Hang 9 up, call back. And I said, Jody, I want out of all 10 of this. I want these dogs in good homes. I'm 11 done. 12 Q. And at that stage how many dogs did you 13 have from her place, the Looking Glass Animal 14 Rescue? 15 A. Allison picked up four dogs that was 16 Jody's. She went to another rescue up in New 17 Hampshire somewhere. 18 Q. And that was at your request? 19 A. No. It was Jody Harris's request. She had 20 Allison come over to the house. 21 Q. On Paragraph Eight Caprigno writes that, On 22 October 6, 2016 she assisted Officer Ryan Donovan at 23 31 Jonathan Road for a criminal trespass, domestic</p>
<p style="text-align: center;">Page 51</p> <p>1 disturbance involving Rocheville and Stone. Do you 2 remember the incident that that references?</p> <p>3 A. That -- yeah. That's the day that I asked 4 Michelle to leave, to stop. Find a place to live.</p> <p>5 Q. And when you asked her to leave what 6 happened?</p> <p>7 A. She didn't want to leave.</p> <p>8 Q. Was your asking her to leave in relation to 9 the Gotti incident the day before and her behavior?</p> <p>10 A. I didn't want to do any more fostering. 11 And Michelle was involved in the fostering. We 12 didn't see eye-to-eye anymore.</p> <p>13 Q. At the time that you asked Michelle to 14 leave how many dogs did she have at your property?</p> <p>15 A. She didn't own any dogs. They were foster 16 dogs.</p> <p>17 Q. Okay.</p> <p>18 A. And I don't recall the exact amount.</p> <p>19 Q. Did she -- did she leave that night?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. After that did she ever live at your 22 property again?</p> <p>23 A. I don't believe so.</p>	<p style="text-align: center;">Page 52</p> <p>1 Q. Was she -- was Michelle angry with you? 2 A. Very upset. 3 Q. Very upset. When was the last time you 4 spoke with Michelle Stone?</p> <p>5 A. I talk to her from time to time. 6 Q. Do you remember the last time? 7 A. I don't. 8 Q. Was it within this year of Covid that we've 9 had?</p> <p>10 A. Yes. 11 Q. Do you ever talk to her about your lawsuit? 12 A. She doesn't want to hear it. And I don't 13 want to talk to her about it. 14 Q. So you have not had any substantive 15 conversations about it with her? 16 A. No. 17 Q. On Paragraph Nine it says, On October 7th 18 at 8:49 a.m. Michelle Stone came to the Pelham 19 Police Department to follow up. A little later it 20 says, Stone showed me pictures on her phone that she 21 had taken showing 20 to 30 dogs being kept in 22 plastic and wire-style crates. Do you remember 23 seeing pictures like that from Michelle?</p>

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1 A. Yes.	1 A. I believe what happened there is the lady
2 Q. And when did she tell you that?	2 that came to get the dogs didn't even have leashes.
3 A. It was probably two weeks after everything	3 And she went to grab one. And the dog got loose.
4 went down.	4 And then, I believe, Allison, actually, had leashes
5 Q. I take it, during the time that -- between	5 for her.
6 the time that you asked Michelle to leave and the	6 Q. Officer Caprigno later references a phone
7 search warrant were you and Michelle talking?	7 call that she received from a Susan Young of Texas
8 A. No.	8 from the Next Samaritan Rescue Group. Do you know
9 Q. She's still pretty angry with you?	9 who that is?
10 A. Yes.	10 A. Yes.
11 Q. There's a reference here to a Sudbury	11 Q. And how did you first meet or get in
12 Animal Control Officer, Jennifer Condon. Is that	12 contact with Susan Young?
13 the person you were talking about?	13 A. I had asked her about basically reimbursing
14 A. Yes.	14 me for veterinarian bills.
15 Q. Paragraph 12, Sir, it talks about an	15 Q. Did you have foster dogs that had come to
16 October 11th unannounced follow-up by Caprigno at	16 you from Next Samaritan Rescue Group in Texas?
17 your house. She indicates that she pulled into the	17 A. Yes.
18 driveway. You met outside, met her outside with	18 Q. Do you know how many?
19 three dogs. Do you recall this visit?	19 A. I do not recall. That was a Michelle
20 A. I believe that is when that lady came and	20 dealing back and forth on the Internet thing.
21 got the dogs that Jody wanted back.	21 Q. So your memory is that Michelle connected
22 Q. Okay. And is that why you had the dogs	22 with Susan Young over the Internet?
23 outside, to deliver them?	23 A. Yes.
Page 63	Page 64
1 Q. And as a result of that she had dogs	1 euthanize them. We don't have the money. We're not
2 transported to your house?	2 going to spend the money. I believe I talked to her
3 A. Yes.	3 the night that I had brought Onyx to Rockingham
4 Q. You're not sure how many?	4 Emergency. And she had no money. And she said she
5 A. No.	5 couldn't facilitate any of the vet bills.
6 Q. Did you ever speak to Susan Young,	6 Q. And that's part of why you took it on
7 yourself?	7 yourself?
8 A. Yes.	8 A. I didn't want the dog to die. And I
9 Q. About how many times?	9 explained it to Michelle, that if you foster a dog
10 A. Several times.	10 the people you're fostering it for, they have to pay
11 Q. Did you also get involved in making sure	11 the vet bills. That's one thing that Jody Harris
12 the logistics worked out when these dogs got to you?	12 did. She paid vet bills. Part of a foster
13 A. There were times where they asked me when I	13 agreement.
14 would be home, or if it was possible that they could	14 Q. So Michelle didn't always follow through on
15 deliver a dog, or they also asked me about taking	15 that?
16 like an hour trip. Say, a dog from a length of the	16 A. No, Sir.
17 trip that they were transporting. They were looking	17 Q. Officer Caprigno writes that, Susan Young
18 for volunteers.	18 had called to say two dogs had been found in Nashua
19 Q. How was it that you ended up paying vet	19 that were from the Next Samaritan Rescue Group. Do
20 bills for the dogs that came up to you from Texas	20 you recall that?
21 from Miss Young's organization?	21 A. I do not. At this time I do not. I don't
22 A. One of them was Onyx. They didn't want to	22 recall it.
23 reimburse. Their attitude toward the dogs was just	23 Q. In Paragraph 13 Officer Caprigno reports

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1	that she received information from a Salem Animal	1	Q. So if you get a rescue that you're going to
2	Control Officer Bliss. Do you know who Officer	2	foster do you get specific paperwork that assigns --
3	Bliss is?	3	A. You're supposed to.
4	A. No, Sir.	4	Q. Okay.
5	Q. And Bliss, she says, reported to her that	5	MR. AIVALIKLES: You've got to let him
6	she got a call from the MSPCA in Methuen, Mass, who	6	finish asking his question.
7	wants to surrender a sick Pit Bull for his friend.	7	THE WITNESS: Sorry.
8	Do you know what dog that was?	8	MR. AIVALIKLES: That's okay.
9	A. That would have been Xena.	9	Q. BY MR. CULLEN: And then when the dog gets
10	Q. Okay. Is that Xena with an X?	10	adopted by someone is there another set of
11	A. I believe so.	11	paperwork?
12	Q. And how did your friend end up having	12	A. Yes.
13	possession of Xena?	13	Q. All right. This is going to sound a little
14	A. I don't recall saying, "Friend," at all.	14	callous, but is it kind of like the title of the
15	Q. Okay. But how did this person end up	15	car, that it just goes to whoever it's supposed to
16	having Xena?	16	go to?
17	A. I believe Xena came from a rescue Up State	17	A. Yes.
18	New York. And somewhere along the line the dog	18	Q. So at some stage the -- the papers for Xena
19	ended up being my dog. Like I adopted it. I didn't	19	changed from her being a foster dog, for either you
20	even know it was my dog.	20	or Michelle, to being your dog?
21	Q. How does that happen?	21	A. Correct.
22	A. It had to be something with Michelle. I do	22	Q. And you don't know how that happened?
23	not know.	23	A. No, Sir.
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1	Q. Do you think Michelle completed that	1	Q. Yeah. I'll try it again. So in the gap
2	paperwork?	2	between when Michelle Stone leaves your house and
3	A. I don't know.	3	the search warrant the dogs that she's fostering are
4	Q. When did you learn Xena had officially, at	4	still at your house; is that fair? Is that correct?
5	least on paper, become your dog?	5	A. No.
6	A. I don't recall the date.	6	Q. Okay. Where are the dogs that she's
7	Q. Was it before or after the search at your	7	fostering?
8	house?	8	A. Jody Harris had a bunch of them picked up.
9	A. It was after.	9	Q. So let me -- you're right. I wasn't as
10	Q. Do you know how it was that Xena ended up	10	clear as I should have been. At the time Michelle
11	in the care of somebody -- who brought Xena to	11	Stone first left your house -- I think, according to
12	Methuen, Massachusetts?	12	the papers we have it as about October 6th of
13	A. I brought Xena to Methuen, Massachusetts.	13	2016 -- she doesn't take any dogs with her when she
14	Q. Who did you leave Xena with?	14	leaves, I assume?
15	A. I have a friend up in Hudson. And I asked	15	A. No, Sir.
16	him to help me find some of these dogs homes.	16	Q. So as of that time when she physically
17	Q. This is in the gap between when Michelle	17	leaves the house the dogs she's fostering are still
18	Stone leaves and when the search warrant happens?	18	at your house?
19	A. Yes.	19	A. Correct.
20	Q. Is it fair to say you're trying to find	20	Q. And over the next two weeks are you
21	homes for the dogs that Michelle has brought to your	21	dispersing those dogs, either back to their rescues
22	house and is no longer caring for?	22	or finding homes for them?
23	A. Can you rephrase that question?	23	A. It had been going on well before that.

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1 Q. All right. This was an ongoing thing? 2 A. Yeah. Basically, I was fostering. So the 3 idea of fostering is to hold a dog until it can go 4 to a different home or be adopted. 5 Q. Okay. So in getting Xena why were you 6 approaching a person in Hudson to find a home for 7 Xena? 8 A. It was a friend. And he knew a lot of 9 people. And my understanding was that we would find 10 these dogs homes, so that they have a home. 11 Q. And who was that friend? 12 A. Dubowik. 13 Q. I'm sorry? 14 A. Dubowik is his name. 15 Q. That's his last name, I assume? 16 A. Yeah. 17 Q. Do you know his first name? 18 A. He goes by different names, but it's 19 Dubowik. Dan Dubowik. 20 Q. And how long have you known Dan? 21 A. Ten years. 22 Q. And you -- was it Dan who found him a 23 place -- found Xena a place in Methuen that you then	1 delivered to it to? 2 A. I'm confused, Sir. 3 Q. Sure. My understanding was that we've got 4 this sick Pitbull in Methuen, being Xena; is that 5 fair? 6 A. Yes. 7 Q. Okay. And if I understood you correctly, 8 you went to your friend, Dan, in Hudson to look for 9 a home for Xena. And he connected you to somebody 10 in Methuen, who might be able to take the dog? 11 A. Incorrect. 12 Q. Okay. What actually happened? 13 A. I had gone to Methuen to see if we could 14 help Xena out. I had brought her to a vet in 15 Tyngsborough. And she was having issues with her 16 stomach. And basically we had tried different 17 plans, as far as foods and things that were good for 18 her stomach, but she deteriorated very, very fast. 19 Q. Was she getting -- was she getting really 20 thin because of her stomach issues? 21 A. Yes. 22 Q. Was she having diarrhea? 23 A. Yes.
Page 71	Page 72
1 Q. How long had you had Xena before you 2 brought her to the clinic in Tyngsborough? 3 A. She had been with me a couple of months. A 4 little longer. I don't know the exact time frame. 5 Q. Okay. But as of October 12th, 2016 she was 6 now in Methuen? 7 A. No. 8 Q. Where was she? 9 A. She was at my house. 10 Q. Had she recovered from her illness? 11 A. No. We were trying different foods. 12 MR. CULLEN: There's a photo here that I'll 13 just mark as Exhibit 3. 14 (Rocheville Exhibit 3 was 15 marked for identification.) 16 (Document handed to witness.) 17 Q. BY MR. CULLEN: This photograph, which has 18 a date of -- I believe it has a date of October 18, 19 2016, the date of the search warrant, is that feces 20 from Xena? 21 A. No. 22 Q. Do you know what that is? 23 A. It would probably be Ally.	1 Q. Okay. The dog who had had the puppies? 2 A. Yes. 3 Q. Do you know why the -- the dog pooped on 4 the ground? 5 A. Well, if they storm the front door, as I've 6 seen, where they lay the door down on the floor, 7 probably scared the dog. And she was giving the 8 pups milk. And her digestive system probably was on 9 high range because she was feeding nine puppies. 10 Q. Paragraph 14, actually, references Dan 11 Dubowik. At least Officer Caprigno spells it, 12 D-u-b-o-w-i-c-k. Do you know if that's the correct 13 spelling? 14 A. I do not, Sir. 15 Q. It looks like he runs an excavating 16 business? 17 A. He sells equipment. 18 Q. Okay. Officer Caprigno reports here that 19 she had received information from Hudson Officer 20 Matthew Blazon indicating that Dan Dubowik had 21 reported five abandoned puppies. Had you delivered 22 five dogs to Dan? 23 A. The dogs were to be found homes. They were

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<p>1 not abandoned.</p> <p>2 Q. But was he caring for them while --</p> <p>3 A. Yes. He said he would help me with them.</p> <p>4 Q. So he was caring for them while you and he,</p> <p>5 together, were looking for homes for them?</p> <p>6 A. Yes.</p> <p>7 Q. Blazon describes three full-sized Pitbull</p> <p>8 dogs, one was a white dog visibly emaciated with a</p> <p>9 bony structure and cataracts in both eyes. Do you</p> <p>10 know what dog that was?</p> <p>11 A. It was -- it would be Xena.</p> <p>12 Q. Okay. That would be Xena. Another was a</p> <p>13 black Pitbull. And a third was a white and brown</p> <p>14 mix Pitbull that looked like it had recently been</p> <p>15 bred. Would that third one be Ally?</p> <p>16 A. No. Ally was confiscated by Officer</p> <p>17 Caprigno.</p> <p>18 Q. Well, when was that that she confiscated</p> <p>19 her? Oh, at your house on the search warrant?</p> <p>20 A. Yes, Sir.</p> <p>21 Q. So she wasn't temporarily at Dubowik's --</p> <p>22 A. No, Sir.</p> <p>23 Q. -- a week earlier? Okay. Do you know</p>	<p>1 which dog the white and brown Pitbull mix was?</p> <p>2 A. I do not. I don't know them by name like</p> <p>3 that.</p> <p>4 Q. Okay. But it's one of the dogs that you</p> <p>5 delivered to Dan for him to care for.</p> <p>6 A. Yeah. At this time I don't remember the</p> <p>7 dog's name.</p> <p>8 Q. That's okay. Going to Paragraph 17, Sir.</p> <p>9 There's a report of another call from Officer Condon</p> <p>10 in Sudbury, Mass referring to a property at 1030</p> <p>11 Concord Road in Sudbury. Is that Macone's address?</p> <p>12 A. Yes, Sir.</p> <p>13 Q. All right. She reported that there were</p> <p>14 four dogs stored in the rear shop on that property.</p> <p>15 Do you know if any of your dogs were there?</p> <p>16 A. Yes, Sir.</p> <p>17 Q. Are those the four that you thought Sarah</p> <p>18 was adopting?</p> <p>19 A. No, Sir.</p> <p>20 Q. Which four are these?</p> <p>21 A. One dog named Kevin that I got that was --</p> <p>22 he had been in a dog fight prior to me getting him.</p> <p>23 Q. Okay. Do you remember what the other ones</p>
<p>1 were?</p> <p>2 A. I do not at this time.</p> <p>3 Q. Okay. How was it that these four dogs came</p> <p>4 to be at 1030 Concord Road?</p> <p>5 A. I was working for Doug at the time. And I</p> <p>6 was there quite a bit, so it was easier for me to</p> <p>7 take care of them when I was there. I was traveling</p> <p>8 back and forth from home to there.</p> <p>9 Q. Okay.</p> <p>10 A. But while I was there I was able to feed</p> <p>11 and water the dogs and make sure they were good.</p> <p>12 Q. Okay. And so you had dogs at home, also,</p> <p>13 right?</p> <p>14 A. Yep.</p> <p>15 Q. So having four dogs at Macone's probably</p> <p>16 made it a little easier?</p> <p>17 A. The one dog, Kevin, I was concerned with,</p> <p>18 and had brought him to the vet. They had given me</p> <p>19 ointment to -- because he had a couple of things on</p> <p>20 his paws. And, basically, it was easier for me to</p> <p>21 be with him all day, be working in the next shop</p> <p>22 over. Easy to run over and make sure he had water</p> <p>23 and food.</p>	<p>1 Q. Then did those dogs stay there for the</p> <p>2 night. And you'd see them the next day?</p> <p>3 A. Yes, Sir.</p> <p>4 Q. And Condon indicates that the other dogs</p> <p>5 may have been named Lilly, Beyrun, B-e-y-r-u-n, and</p> <p>6 Oreo. Does that refresh your recollection as to the</p> <p>7 other dogs?</p> <p>8 A. It's possible, Sir.</p> <p>9 Q. Rocheville stated that they were his</p> <p>10 personally owned dogs. Were those ones your own</p> <p>11 ones?</p> <p>12 A. I don't remember making that statement,</p> <p>13 Sir.</p> <p>14 Q. Okay. But do you know if they were your</p> <p>15 own?</p> <p>16 A. As far as I can see they were all foster</p> <p>17 dogs at the time.</p> <p>18 MR. CULLEN: Okay. I forgot if we marked</p> <p>19 the affidavit.</p> <p>20 COURT REPORTER: We did.</p> <p>21 MR. AIVALIKLES: That's two.</p> <p>22 Q. BY MR. CULLEN: Were you present when the</p> <p>23 search warrant was executed?</p>

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1 (Rocheville Exhibit 10 was 2 marked for identification.) 3 (Document handed to witness.) 4 Q. BY MR. CULLEN: Looking at that document 5 there's a series of medicines listed on the first 6 page. Are those all medicines for various dogs that 7 were in your care, or Michelle's care? 8 A. Yes. And some of it is for people. 9 Q. Are you able to split out the ones that are 10 for people? 11 A. The Benadryl is for people. Using it for 12 allergy relief. 13 Q. Sure. 14 A. I'm not a chemist or a pharmacist, so I 15 wish I could help you further. 16 Q. Okay. 17 A. I don't know. 18 Q. Would it be fair to say the majority of 19 those are for dogs? 20 A. Some of them are. I don't know if it's the 21 majority. 22 Q. On the bottom it says there's a Gray 23 Brindle in the first floor bathroom, a Pitbull	1 female. Do you see that? 2 A. Yep. 3 Q. Do you remember having a -- leaving for 4 work that morning and leaving a Pitbull in the 5 bathroom? 6 A. I do not. 7 Q. Is that the dog that did the damage to the 8 door, to your knowledge, one way or the other? 9 A. I don't believe so, no. 10 Q. Going onto the second page. On the Master 11 Bedroom it indicates there were four puppies 12 Rottweiler mix. Those would be Ally's puppies, I 13 assume? 14 A. Yes. 15 Q. And then it says, Back left bedroom, Black 16 and Tan Rottweiler mix female. Is that Ally with 17 the purple collar and skulls? 18 A. What are skulls? What's the reference to 19 the skulls? 20 Q. I think it indicates a collar with skulls. 21 Purple collar with skulls. 22 A. I -- I don't recall, Sir. 23 Q. Okay.
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1 A. I don't remember. 2 Q. Okay. Did Ally and the puppies stay in the 3 same room when you were away, or did they stay in 4 separate rooms? 5 A. I would take Ally outside on a leash, 6 which -- so she would get some air and walk around 7 on the grass. And if she had to pee or poop she was 8 outside. Give her a break from the puppies. Not 9 for long periods of time, but to get her some air. 10 Q. And then after that would she go back in 11 with the pups? 12 A. Yes, Sir. 13 MR. CULLEN: I'm going show you a Police 14 Narrative. Reference 16-954-OF. And we'll just mark 15 that as Exhibit 11. 16 (Rocheville Exhibit 11 was 17 marked for identification.) 18 (Document handed to witness.) 19 Q. BY MR. CULLEN: You're welcome to look at 20 as much of this as you want, Mr. Rocheville. I, 21 actually, just want to turn your attention, when 22 you're ready, to the list of dogs on page three. 23 A. (So indicated.)	1 Q. Officer Caprigno indicates in her report 2 that Michelle Stone stated that these dogs were in 3 the house when she moved out on or about October 4 6th, 2016. There's about 35 of them. Was that 5 correct, what she said to Officer Caprigno, that 6 those 35 dogs were at your house when she moved out? 7 A. I don't believe so, no. 8 Q. Do you know approximately how many dogs 9 were at your house when Miss Stone left? 10 A. I do not, Sir. 11 Q. As I look through the list I notice that 12 No. 23 is Ally and eight puppies. So if you add 13 those eight puppies to the 35 we're up to 43 dogs at 14 the house. Would you agree with me that if, indeed, 15 there were 43 dogs, including the puppies, at the 16 house at any one time that would be too many? 17 A. Yes. 18 Q. Too many for you and Michelle to care for? 19 A. It was my understanding that puppies 20 weren't considered because they were less than two 21 weeks old at the time. 22 Q. Excluding the puppies, if there were 23 actually 35 dogs at your house at one time would you

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1 agree that was too many?	1 were these 35 dogs there?
2 A. Absolutely, I would agree to it.	2 A. I've answered the question already.
3 Q. And you mentioned that Michelle was pretty	3 Q. Okay. I'm sorry. I guess I didn't get the
4 mad at you after you had asked her to leave. Do you	4 answer. I think the answer is she could have said
5 have any reason to believe she wouldn't have at	5 that?
6 least told Officer Caprigno that all these dogs were	6 A. We've already stated that she was upset.
7 at the house?	7 Q. And because she was upset she could have
8 MR. AIVALIKLES: Objection. You can	8 said that?
9 answer, if you can.	9 A. I don't know exactly what Michelle said or
10 A. Could you rephrase the question.	10 didn't say --
11 Q. Do you have any reason to think that Stone	11 Q. Okay. That's fair.
12 didn't actually tell Caprigno that these 35 dogs	12 A. -- to the officers.
13 were at the house?	13 Q. Perfectly fine. Good answer. On Paragraph
14 MR. AIVALIKLES: Objection.	14 22 of the complaint, which was marked as Exhibit 1,
15 A. Still not understanding what you're saying,	15 you reference that in December of 2016 you had an
16 Sir.	16 incident in the lobby with Officer or Lieutenant
17 Q. Well, the report indicates that Michelle	17 Keenliside, K-e-e-n-l-i-s-i-d-e. It's page three,
18 Stone told Officer Caprigno that these 35 dogs were	18 Paragraph 22 of the complaint. I think what you
19 at the house at the time she left. And you had also	19 have in front of you might be the Interrogatories.
20 indicated to me that Michelle Stone was pretty mad	20 It's that one. (Indicating.)
21 at you or pretty upset, anyway, at that time. I'm	21 (Document handed to witness.)
22 asking if you have any reason to believe that	22 A. Thank you. Your question again, Sir?
23 Michelle did not actually tell Caprigno that there	23 Q. Yeah. Just referencing that paragraph can
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1 you tell me what happened in the lobby that day.	1 Q. Okay. When she came out did she come out
2 A. Yes.	2 alone?
3 Q. What happened?	3 A. No.
4 A. I went in to pay the vet bill. And the	4 Q. Did she come out with Officer Keenliside?
5 bill for boarding the dogs. And Officer Keenliside	5 A. Yes, Sir.
6 asked me -- can I quote this?	6 Q. And when she came out who spoke first; you,
7 Q. Yes.	7 Officer Caprigno or Officer Keenliside?
8 A. What the fuck are you looking at? What is	8 A. Officer Keenliside.
9 your fucking problem? And he came over. And I was	9 Q. And is that when he said that to you?
10 talking to Allison. And he went around Allison.	10 A. Yes.
11 And he bumped me in the chest. He gave me one of	11 Q. That was the first exchange between any of
12 these. Pushed me back. (Indicating.)	12 you?
13 Q. So he chest bumped you back?	13 A. Absolutely.
14 A. Yep. He told me to go for it. I told him,	14 Q. And how long after they entered the lobby
15 Merry Christmas.	15 did he make that statement?
16 Q. When you first entered the lobby was	16 A. As they walked in.
17 anybody in the lobby?	17 Q. Had you ever seen him before?
18 A. No.	18 A. Yes.
19 Q. Did you go up to the glass and ask for --	19 Q. And when was that?
20 A. I did.	20 A. I worked in town doing septic systems. I
21 Q. -- Allison? And did Allison Caprigno come	21 had a job over on the Cobbets Pond, -- not Cobbets
22 out?	22 Pond. It was for Don Rodding. I don't recall the
23 A. It took a while.	23 exact address, but I had to cross a road with the

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<p>1 insurance.</p> <p>2 Q. Where does Ms. Milgroom work out of?</p> <p>3 A. Andover.</p> <p>4 Q. Andover, Mass?</p> <p>5 A. Yes, Sir.</p> <p>6 Q. And do you have an idea how to spell her</p> <p>7 last name?</p> <p>8 A. I do not, but I have her card and</p> <p>9 information.</p> <p>10 Q. Okay. I'll talk to your lawyer about</p> <p>11 getting that later. In the Answers to</p> <p>12 Interrogatories at Answer 19 I think you -- I don't</p> <p>13 know if you still have these in front of you.</p> <p>14 There's a copy here. Sorry.</p> <p>15 (Document handed to witness.)</p> <p>16 Q. And the question asks you to identify</p> <p>17 people who have indicated to you that your</p> <p>18 reputation has been damaged as a result of the</p> <p>19 conduct of the defendants. What I'd like you to do</p> <p>20 is tell me if any of these people have indicated to</p> <p>21 you that they -- strike that. After your -- after</p> <p>22 the search warrant was executed and the -- you were</p> <p>23 arrested there was some newspaper articles about it;</p>	<p>1 is that right?</p> <p>2 A. Correct.</p> <p>3 Q. Were there also some web posts about it on</p> <p>4 Facebook or elsewhere?</p> <p>5 A. There's 17 articles against me on Google as</p> <p>6 we speak.</p> <p>7 Q. And do those all stem from your arrest in</p> <p>8 this case?</p> <p>9 A. Yes, Sir.</p> <p>10 Q. And is it those articles that have caused</p> <p>11 you the damage in your community?</p> <p>12 A. There isn't anybody in town that will hire</p> <p>13 me. After that went down nobody would even talk to</p> <p>14 me.</p> <p>15 Q. And it stems from the search warrant and</p> <p>16 the arrest?</p> <p>17 A. Well, and the publicity; the newspaper</p> <p>18 articles, the TV article. I was on every channel.</p> <p>19 Allegations were made. And people saw them on the</p> <p>20 news, so they just assume they were correct.</p> <p>21 Q. These were the allegations that you were a</p> <p>22 dog hoarder or dog abuser?</p> <p>23 A. Yeah. 25 years in Local 4, and the</p>
<p>1 business manager told me that he can't put me to</p> <p>2 work because of bad public relations. And I need to</p> <p>3 get my personal life in order.</p> <p>4 Q. And what was his name?</p> <p>5 A. The business agent's name is William</p> <p>6 McLaughlin. I believe he's on the next page. Can't</p> <p>7 see. David Fantini, Paul McGarco.</p> <p>8 Q. I see it there, Sir, about a third of the</p> <p>9 way down.</p> <p>10 A. A lot of these names are business agents.</p> <p>11 The way that works is the business agents dispatch</p> <p>12 the union employees. I hold a complete hoisting</p> <p>13 license for the State of Massachusetts, which means</p> <p>14 there's no restrictions on my licenses, which means</p> <p>15 when the business has a gentleman that doesn't show</p> <p>16 up or is sick and/or doesn't feel well, and the</p> <p>17 business agent is stuck in the middle of it, and he</p> <p>18 needs to have a crane operator they call an ace in</p> <p>19 the hole. He can call me. I can go to the job. I</p> <p>20 drug test with no issues. I've never had any bad</p> <p>21 drug test. And I can run any piece of equipment.</p> <p>22 And I can also fix the equipment. And having a</p> <p>23 union book, being able to make a living with that</p>	<p>1 kind of wages and those kind of benefits and</p> <p>2 insurance, and having two children to pay child</p> <p>3 support every week, it's imperative. By losing that</p> <p>4 took my livelihood away.</p> <p>5 Q. Did -- do you not do any work now for the</p> <p>6 union?</p> <p>7 A. He had dispatched me to one job. I was on</p> <p>8 Dock Ave. And a couple of guys had made comments to</p> <p>9 me about a dog abuser. The business agent came and</p> <p>10 removed me from the job, so that he didn't have any</p> <p>11 altercations. And that's where it ended up, in the</p> <p>12 office of business agents. They actually brought me</p> <p>13 in front of the executive board. And I thought they</p> <p>14 were going to pull my book, but they didn't. They</p> <p>15 wanted me to explain, which I can't.</p> <p>16 Q. When was that?</p> <p>17 A. It was about a year after the incident.</p> <p>18 Went down when they stole my house. And they</p> <p>19 criminally charged me and arrested me, stormed my</p> <p>20 house. I've tried several times with the different</p> <p>21 business agents. They just don't want anything to</p> <p>22 do with it.</p> <p>23 Q. And how much, if any, less do you earn</p>